

### **REMARKS/ARGUMENTS**

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action, and for the acknowledgement of Applicants' claim for foreign priority and that the certified copy of the priority document has been received. Applicants additionally wish to thank the Examiner for considering the materials cited in the Information Disclosure Statement filed in the present application on January 25, 2006, by the return of the signed copy of the Form PTO-1449 attached to the Official Action.

Applicants note that in the Official Action, the Examiner stated that Applicants' Supplemental Information Disclosure Statement filed in the present application on April 20, 2006, was not considered since copies of each cited foreign patent document were not provided, and apparently since a Form PTO-1449 was not submitted therewith. The filed Supplemental Information Disclosure Statement of April 20, 2006, was indeed supplemental to the Applicants' January 25, 2006 Information Disclosure Statement. In the Supplemental Information Disclosure Statement, Applicants noted that copies of the listed foreign patent documents were not being provided since they were already cited in and provided with the Information Disclosure Statement of January 25, 2006. Applicants submitted the Supplemental Information Disclosure Statement for completeness of the record and to provide the USPTO with an English language translation of the International Preliminary Report on Patentability (Chapter 1) dated March 2, 2006, with respect to patent family member International Patent Application No. PCT/JP2004/004724, in which the foreign patent documents, provided by the January 25, 2006 Information Disclosure Statement, were cited. Since these same foreign patent documents have already been officially considered by the Examiner in evaluating the January 25, 2006 Information Disclosure Statement, the documents will not be resubmitted.

In the Official Action, the Examiner objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5) asserting that the drawings include a reference character not mentioned in the specification. In particular, the Examiner asserted that there exists a discrepancy between Applicants' Figure 9, which includes reference character "2132", and line 6 of Applicants' specification page 16, which includes reference character "2312". This discrepancy appears to be the result of a typographical error in the specification. Accordingly, Applicants have amended line 6 of Applicants' specification page 16 to change the reference character from "2312" to read "2132". Accordingly, Applicants respectfully request that the objection to the drawings be withdrawn, and that an indication of the acceptability of the drawings be provided in the next Official communication.

In the Official Action, claims 2, 4, and 6-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 2, 4, 12, and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by MATSUO et al. (U.S. Patent Application Publication No. 2002/0055938 A1).

Upon entry of the amendment, claims 1-2, 4, 6-8, and 10-19 have been amended. New claim 20 has been added. Claims 3 and 5 were previously withdrawn. Thus, claims 1-2, 4, and 6-20 are currently pending for consideration by the Examiner.

Claims 2, 4, and 6-19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. More particularly, the Official Action asserted that specific language in claims 2, 6, 7, 10, and 11 was unclear. The language of claims 2, 6, 7, 10, and 11 has been clarified to address the concerns raised in the Official Action. Accordingly, Applicants

respectfully request that the rejection of claims 2, 4, and 6-19 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1, 2, 4, 12, and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by MATSUO. With regard to independent claim 1, the Official Action asserted that MATSUO discloses all of the features recited therein. Contrary to this assertion, Applicants submit that MATSUO at least fails to disclose the specific configuration of the display recited in Applicants' independent claim 1.

Applicants submit that the display recited in claim 1 is characterized in that the display is mounted with a plurality of light-emitters, with each light-emitter being a pixel, and a plurality of switches corresponding to the plurality of light-emitters, which are operable to switch on and off the respective light-emitters. In distinct contrast, Applicants submit that MATSUO discloses a display unit (121) in Figure 25 that includes a display sheet A with a shutter function, and a luminous sheet B to irradiate the display sheet A. Applicants also submit that MATSUO's display sheet A allows the light to transmit or block the light, whereby each pixel is tuned to either a white pixel or a black pixel. See MATSUO's paragraphs [0086]-[0097]. Thus, Applicants submit that MATSUO fails to disclose a plurality of light-emitters, each light-emitter being a pixel, and fails to disclose a plurality of switches corresponding to the plurality of light-emitters, as explicitly recited in Applicants' independent claim 1.

Applicants submit that MATSUO fails to anticipate Applicants' independent claim 1 since MATSUO fails to disclose each and every feature recited in Applicants' independent claim 1. Applicants also submit that claims 2, 4, 12, and 13, which depend from independent claim 1, are patentable for at least the reasons discussed above regarding independent claim 1, and further for the additional features recited therein. Accordingly, Applicants respectfully request that the

rejection of claims 1, 2, 4, 12, and 13 under 35 U.S.C. § 102(b) as being anticipated by MATSUO be withdrawn. Applicants also note that dependent claims 6-11 and 14-19 have not been rejected on prior art, and are also believed to be patentable, as well as new dependent claim 20, which recites additional features. In this regard, Applicants note that support for new claim 20 may be found , for example, at pages 11-14 of Applicants' Specification. Further, Applicants note that no prior art rejection was set forth against claim 6-11 and 14-19. Thus, Applicants believe the Examiner considers claims 6 -11 and 14-19 to be allowable over the art of record, and respectfully request such an indication in the next official communication.

## SUMMARY

From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present amendment are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested and an indication of the allowance of claims 1-2, 4, and 6-20 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Tetsuro NAKAMURA et al.



Bruce H. Bernstein  
Reg. No. 29,027

May 5, 2009  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

**Steven Wegman**  
**Reg. No. 31,438**